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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,987	08/29/2003	Joseph E. Harter JR.	DP-309898	2984
22851 7590 10/01/2007 DELPHI TECHNOLOGIES, INC. M/C 480-410-202 PO BOX 5052 TROY, MI 48007			EXAMINER ANYIKIRE, CHIKAODILI E	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 10/01/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/652,987

Applicant(s)

HARTER ET AL.

Examiner

Chikaodili E. Anyikire

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed August 02, 2007 have been fully considered but they are not persuasive. Claims 1-5 are currently pending.
2. Claims 1-5 are currently rejected under 35 USC 102(b) as being anticipated by Bradley et al.
3. The applicant modifies the claim to read, "a mirrored shaft that is linearly displaceable along an axis of the shaft for presenting different views to said imaging device". The applicant admits that the prior art teaches the mirror on a shaft that is rotational and therefore it is displaceable in a linear direction.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Bradley et al (US 5, 771, 071).

As per claim 1, Bradley et al discloses an imaging system (Fig 2, 44), comprising:  
  
an interlaced imaging device (Fig 2, 44);

a mirrored shaft (Fig 5, 114) that is linearly displaceable along an axis of the shaft for presenting different views to said imaging device (Col 9 Ln 53-67);

drive means including an electric motor (Fig 5, 118) for producing linear displacement of said mirrored shaft (Fig 5, 114) along said axis to change the view presented to said imaging device (Col 10 Ln 1-27); and

control means for controlling said electric motor in response to a data acquisition control signal of the imaging device (Col 10 Ln 52-56) such that interlaced video data produced by said imaging device includes data pertaining to two or more different views (Col 12 Ln 1-16; the prior art disclose two separate flashes for different fields, which relates to different views).

As per claim 2, Bradley et al discloses the imaging system of claim 1, wherein said data acquisition control signal is a vertical synchronization control signal that coordinates readout of said video data (Col 11 Ln 42-58 and Col 12 Ln 12-16).

As per claim 3, Bradley et al discloses the imaging system of claim 2, wherein said mirrored shaft (Fig 2, 114) includes first and second linearly separated mirrors (Fig 2, 64, 86, and 110) that are alternately in position with respect to said imaging device during successive data acquisition periods of said imaging device (Col 9 Ln 53-67; the prior art describes two different mirrors that surrounds an axial).

As per claim 4, Bradley et al discloses the imaging system of claim 1, wherein said drive means includes a rotary cam mechanism driven by said electric motor (Fig 5,

118) and a connecting arm coupling said cam mechanism to said mirrored shaft (Fig 5, 114, Col 9 Ln 53-67).

As per claim 5, Bradley et al discloses the imaging system of claim 4, wherein said control means continuously drives said electric motor (Fig 5, 118) at a speed that is in synchronism with said data acquisition control signal (Col 10 Ln 52-67; the prior art discloses the actuation of the motor and also describes the synchronization of information which shows the control over the electric motor).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chikaodili E. Anyikire whose telephone number is (571)

270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272 - 7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CEA



TUNG VO  
PRIMARY EXAMINER